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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

5 \* \* \*

6 John Souza,

7 Petitioner,

8 v.

9 Elevate, Inc.,

10 Respondent.

Case No. 2:17-cv-01924-JAD-DJA

11 **Order**

12 Before the Court are non-party Stephanie Thurston and Wright Thurston's motions to  
13 extend time to respond to a deposition subpoena. (ECF Nos. 79 and 80). However, as John  
14 Souza—the subpoenaing party—points out in response, the subpoenas require the Thurstons to  
15 appear for their deposition in Salt Lake City, Utah. (ECF No. 81). Under FRCP 45(d)(3)(A), the  
16 court for the district where compliance is required is responsible for quashing or modifying a  
17 subpoena. "Under the current version of the Rule, when a motion to quash a subpoena is filed in  
18 a court other than the court where compliance is required, that court lacks jurisdiction to resolve  
19 the motion." *Agincourt Gaming, LLC v. Zynga, Inc.*, No. 2:14-cv-00708-RFB-NJK, 2014 WL  
20 4079555, at \*3 (D. Nev. Aug. 15, 2014). Here, the court where compliance is required is the  
21 District of Utah. This Court thus lacks jurisdiction to resolve the Thurstons' motions and denies  
22 the motions without prejudice.

23 **IT IS THEREFORE ORDERED** that the motions to extend time (ECF Nos. 79, 80) are  
24 **denied without prejudice.**

25 DATED: November 6, 2023

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28 DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE